

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**UNION PACIFIC RAILROAD
COMPANY,**

Plaintiff,

V.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and LISA P.
JACKSON, Administrator, In Her
Official Capacity,**

Defendants.

8:10CV235

ORDER

Pursuant to the court's approval of the parties' stipulation for compromised settlement ([filing 118](#)), all motions now pending herein (filings [70](#), [91](#) & [104](#)) are dismissed without prejudice to reassertion.

IT IS ORDERED:

1. Proposed Plaintiff-Intervenor Asarco LLC's Motion to Intervene ([filing 70](#)) is denied without prejudice to reassertion;
2. Proposed Plaintiff-Intervenors Asarco Incorporated and Asarco LLC's Amended Motion to Intervene ([filing 91](#)) is denied without prejudice to reassertion;
3. Proposed Plaintiff-Intervenors Asarco LLC's and Asarco Incorporated's Motion to File Supplemental Reply-Brief and Supplemental Index of Evidence in Support of Amended Motion to Intervene ([filing 104](#)) is denied without prejudice to reassertion.

DATED July 12, 2011.

BY THE COURT:

S/ F.A. Gossett
United States Magistrate Judge